REMARKS

By the foregoing Amendment, Claims 1, 2, 4, 5, 8-11, 15-17, 21-23, 29-31, and 36-48 have been amended, and Claim 6 has been cancelled. Favorable reconsideration of the application is respectfully requested.

Claims 1-2, 4-41, 43, 45 and 47 were rejected under 35 U.S.C. §102(b) on the grounds of anticipation by Olson et al. Claim 6 has been cancelled. At column 3, line 62, to column 4, line 12, Olson et al. discloses electrical power provided by removable rechargeable cartridge battery 80 and removable nine volt battery 82 which are removably connected to the power generation circuit 84, and that voltage level sensing circuits in the power generation circuit 84 provide low battery level signals to processor 74 whenever the voltage levels of batteries 80 or 82 are less than predetermined values. Claim 1 has been amended to recite "a battery pack including a second processor, said battery pack being removably connected to said defibrillation circuitry, and said second processor being removably connected in communication with the first processor," "a second visual indicator disposed in the battery pack and operatively connected to the second processor, wherein the second processor is programmed to control the second visual indicator to indicate a status of the battery pack when the battery pack is not connected to said defibrillator circuitry," and "wherein the second processor is programmed to disable the second visual indicator when the battery pack is connected to said defibrillator circuitry." Claim 36 similarly has been amended to recite providing "a battery pack including a second processor, said battery pack being removably connected to said defibrillation circuitry," and "a second visual indictor disposed in the battery pack and operatively connected to the second processor" "the second processor controlling the second visual indicator to indicate a status of the battery pack when the battery pack is not connected to said defibrillator circuitry," and "the second processor disabling the second visual indicator when the battery pack is connected to said defibrillator circuitry."

Claim 8 has been amended to recite "a second visual indicator disposed in the battery pack and operatively connected to the processor," "wherein the processor is programmed to control the second visual indicator to indicate a status of the battery pack when the battery pack is not connected to said defibrillator circuitry," and "wherein the processor is programmed to disable the second visual indicator when the battery pack is connected to said defibrillator circuitry." Claim 40 similarly has been amended to recite providing "a second visual indicator disposed in the battery pack and operatively connected to the processor;" "the processor controlling the second visual indicator to indicate a status of the battery pack when the battery pack is not connected to said defibrillator circuitry," and "the processor disabling the second visual indicator when the battery pack is connected to said defibrillator circuitry."

In the present invention, as is discussed in the specification at page 5, lines 3-14, and page 8, lines 1-12, an operator can view the status indicator LED 550 when the battery pack 110 is removed from the AED 100, so that the operator can determine a status of at least one of the AED 100 and the battery pack 110 independent of the battery pack 110 being connected to the AED 100, and the battery pack status indicator LED 550 is preferably disabled when the battery pack 110 is installed. It is respectfully submitted that Olson et al. does not teach, disclose or suggest a battery pack including a second processor and a second visual indicator in the battery pack and controlled by the second processor to indicate a status of the battery pack when the battery pack is not connected to said defibrillator circuitry, but that is disabled by the second processor when the battery pack is connected to the defibrillator circuitry of the AED, as is claimed. It is therefore respectfully submitted that the claims patentably distinguish Olson et al., and that the rejection of Claims 1-2, 4-41, 43, 45 and 47 on the grounds of anticipation by Olson et al. should be withdrawn.

Claims 10, 16, 22, 30, 42, 44, 46 and 48 were rejected under 35 U.S.C. §103(a) on the grounds that it would have been obvious to one having ordinary skill in the art from Olson et al. to modify the LEDs of Olson et al. to employ blinking LEDs. Claims 10, 16, 22 and 30 depend from Claim 8, and Claims 42, 44, 46 and 48 depend from Claim 40. As noted above, Claim 8 has been amended to recite "a second visual indicator disposed in the battery pack and operatively connected to the processor," "wherein the processor is programmed to control the second visual indicator to indicate a status of the battery pack when the battery pack is not connected to said defibrillator circuitry," and "wherein the processor is programmed to disable the second visual indicator when the battery pack is connected to said defibrillator circuitry." Claim 40 similarly has been amended to recite providing "a second visual indicator disposed in the battery pack and operatively connected to the processor;" "the processor controlling the second visual indicator to indicate a status of the battery pack when the battery pack is not connected to said defibrillator circuitry," and "the processor disabling the second visual indicator when the battery pack is connected to said defibrillator circuitry." It is respectfully submitted that

Olson et al. does not teach, disclose or suggest a battery pack including a second processor and a second visual indicator in the battery pack and controlled by the second processor to indicate a status of the battery pack when the battery pack is not connected to said defibrillator circuitry, and disabling of the second visual indicator by the second processor when the battery pack is connected to the defibrillator circuitry of the AED, as is claimed. It is therefore respectfully submitted that the claims patentably distinguish Olson et al., and that the rejection of Claims 10, 16, 22, 30, 42, 44, 46 and 48 on the grounds of obviousness from Olson et al. should be withdrawn.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

The Commissioner is authorized to charge any deficiencies or fees in connection with this amendment to Deposit Account No. 06-2425.

Respectfully submitted,

FULWIDER PATTON LLP

By: / James W. Paul /
James W. Paul
Reg. No. 29,967

JWP/eab
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201